IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	Criminal No. 1:16-CR-135-LC
v.)	
)	Honorable Liam O'Grady
AHMAD SAYED HASHIMI,)	
a/k/a "Jimmy")	Trial: September 26, 2016
a/k/a "Jimmy Jimski")	
a/k/a "Jamshaid")	
)	
Defendant)	

UNITED STATES' RESPONSE TO DEFENDANT'S MOTION FOR INSPECTION AND DISCOVERY OF IMPEACHING INFORMATION

COMES NOW the United States of America, by and through its counsel, Dana J. Boente, United States Attorney for the Eastern District of Virginia, Whitney Dougherty Russell, Assistant United States Attorney, and Sean Michael Welsh, Special Assistant United States Attorney, and responds to the defendant's motion for inspection and discovery of impeaching information.

On June 22, 2016, a grand jury returned a four-count Indictment charging the defendant with: (1) one count of conspiracy to distribute oxycodone; (2) conspiracy to distribute cocaine; (3) kidnapping; and (4) interstate domestic violence. Dkt. No. 33. On June 24, 2016, this Court held an arraignment of the defendant where he pleaded not guilty to all charges. Dkt. No 36. At the arraignment, the Court entered an agreed Discovery Order between the parties. Dkt. No. 37. Specifically, the Discovery Order requires the United States to produce all <u>Giglio</u> materials no later than five calendar days prior to trial for witnesses the government intends to call during its

case-in-chief. Dkt. No. 37 at 4. Trial is currently set to begin on September 26, 2016.

The defendant asks the Court to compel the Government to make available for inspection and disclose impeaching information for witnesses expected to testify. Dkt. No. 46. The United States has already disclosed substantial amounts of <u>Giglio</u> materials, in advance of the deadline contained in the Discovery Order. The United States will comply with the Discovery Order and will complete its disclosure of <u>Giglio</u> materials for all witnesses expected to testify no later than September 21, 2016, five calendar days prior to trial.

Conclusion

WHEREFORE, the government asks the Court to deny the defendant's motion to direct the United States to make available for discovery impeaching information, except as otherwise required by the agreed Discovery Order.

Respectfully submitted,

Dana J. Boente United States Attorney

By: /s/
Sean M. Welsh
Special Assistant United States Attorney
Whitney Dougherty Russell
Assistant United States Attorney
United States Attorney's Office
Justin Williams U.S. Attorney's Building
2100 Jamieson Avenue
Alexandria, Virginia 22314

703-299-3700

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of September, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the defendant's attorney.

/s/

Sean M. Welsh, Esq.
Virginia Bar No.: 89660
Special Assistant United States Attorney
United States Attorney's Office
Justin W. Williams U.S. Attorney's Building
2100 Jamieson Avenue
Alexandria, Virginia 22314
Phone: 703-299-3700

Fax: 703-299-3981

Email: Sean.M.Welsh@usdoj.gov